JOURNAL OF
MARITIME LAW AND COMMERCE
Volume 24, 1993

CONTENTS OF VOLUME 24

Editor's Note i

Articles:

The Administrative Claim Prerequisite to Suit Against the United States Under the Admiralty Jurisdiction Extension Act ..... *Craig H. Allen* 719
Admiralty Judges: Flotsam on the Sea of Maritime Law ..... *The Honorable John R. Brown* 249
After Reaching a Century of the Harter Act: Where Should We Go From Here? ..... *George F. Chandler, III* 43
Almost Full Circle: Admiralty Jurisdiction Over Pleasure Craft ..... *Matthew P. Harrington* 453
Barratry by Exceeding the Warranted Navigational Limit of the Insurance Policy ..... *John T. Wooldridge* 357
The Canadian Approach to Limiting the Liability of Pleasure Craft Owners ..... *Danièle Dion* 561
The Carriage of Goods By Sea Act 1992 ..... *Tim Howard* 181
Changing Liability Rules and Marine Insurance: Conflicting Empirical Arguments About Hague, Visby, and Hamburg in a Vacuum of Empirical Evidence ..... *Michael F. Sturley* 119
Conflicting Liability Regimes: Hague-Visby v. Hamburg Rules—A Case by Case Analysis ..... *R. Glenn Bauer* 53
Do the Hamburg Rules Suit a Shipper-Dominated Economy? ..... *C.C. Nicoll* 151
Effect of the Hamburg Rules on Shipowners' Liability Insurance ..... *C.W.H. Goldie* 111
English Maritime Law Update 1992 ..... *Tim Howard and Brian Davenport* 425
Filing and Responding to a Petition for Certiorari ..... *Michael F. Sturley* 595
The Floundering of "Delivery" Under Section 3(6) of COGSA: A Proposal to Steady its Meaning in Light of its Legislative History ..... *James R. Ward* 287
Forum Non Conveniens and Choice of Law In Re: The Amoco Cadiz Oil Spill ..... *Nancy J. Eskenazi* 371
Forum Selection Clauses in Cruise Line Tickets: An Update on Congressional Action "Overruling" the Supreme Court ..... *Michael F. Sturley* 399
Happy Birthday, Harter: A Reappraisal of the Harter Act on its 100th Anniversary ..... *Joseph C. Sweeney* 1

Limitation of Liability in Maritime Law—An Assessment of its Viability from a Canadian Perspective ..... *A.H.E. Popp, Q.C.* 335
The Maritime Origin of the Word "Certworthiness" ... *David J. Sharpe* 667
Ocean Carriers and Cargo; Clarity and Fairness—Hague or Hamburg? ..... *John O. Honnold* 75
Pleasure Boats and the Limitation of Liability Act ..... *Timothy J. Saviano* 519
The Supreme Court at Sea: Twenty Years of Admiralty Jurisprudence ..... *Wolfgang Hoppe* 671

Bibliography

Selected Bibliography on the Law of Carriage of Goods by Sea, 1975–1992 ..... *Jonathan Pratter* 191

Case Notes:

CARRIAGE OF GOODS BY SEA ACT—APPLICATION TO NON-PARTIES—COGSA applied to claim of a container supplier which was neither a shipper nor a receiver. *Stolt Tank Containers, Inc. v. Evergreen Marine Corp.*, 962 F.2d 276, 1992 AMC 2015 (2d Cir. 1992)..... *Joseph De May, Jr.* 221
CONTRIBUTION AND INDEMNITY—SETTLING TORTFEASORS: The Fifth and Eleventh Circuits consider the allocation of liability among settling and non-settling defendants in a joint tortfeasor case, and the Supreme Court grants certiorari. *Great Lakes Dredge & Dock Company v. Tanker Robert Watt Miller*, 957 F.2d 1575, 1992 AMC 2310 (11th Cir. 1992); *McDermott, Inc. v. Clyde Iron*, 979 F.2d 1068, 1993 AMC 881 (5th Cir. 1992), rehearing and rehearing en banc denied, 985 F.2d 555 (5th Cir. 1993), cert. granted in part sub nom. *McDermott, Inc. v. AmClyde*, 113 S.Ct. 3033 (1993). 743
SALVAGE ARBITRATION: The arbitration provisions of the LOF are unenforceable in purely domestic salvage cases. *Brier v. Northstar Marine, Inc.*, 1993 AMC 1194 (D.N.J. 1992) ..... *Robert M. Jarvis* 573
TREASURE SALVAGE—ABANDONMENT: The law of salvage applies to long-sunken cargo when the owner establishes its interest; abandonment must be shown by convincing evidence. *Columbus-America Discovery Group v. Atlantic Mutual Ins. Co.*, 974 F.2d 450, 1992 AMC 2705 (4th Cir. 1992), cert. denied, 113 S.Ct. 1625 (1993). ..... *Marilyn L. Lytle* 403

Book Reviews:

Collision Cases—Judgments and Diagrams. By Captain F. J. Bozek and Captain H. M. C. Holdert, 2nd ed. ..... *Nicholas J. Healy* 752
Contracts of Affreightment and Hybrid Contracts. By Lars Gorton and Rolf Ihre. 2d ed. ..... *Roger Harris* 246

The Economic and Commercial Implications of the Entry into Force of the Hamburg Rules and the Multimodal Transport Convention. Report by the UNCTAD Secretariat, 1991. United Nations. ..... *John P. McMahon* 243
Marine Insurance and General Average in the United States. By Leslie J. Buglass. Centerville, Md: Cornel Maritime Press, Inc., 3rd ed. ..... *Nicholas J. Healy* 751
Maritime Law Deskbook. By Charles M. Davis .... *Robert M. Jarvis* 413
Recreational Boating Law. Edited by C. Peter Theut ..... *Andrew W. Anderson* 591
The Regime for the Exploitation of Transboundary Marine Fisheries Resources. By Ellen Hey ..... *Dawn A. Russell* 417